

and Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill to incorporate the Sulphur Fork Iron Company was read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed on call of yeas and nays unanimously.

A joint resolution in relation to the purchase of beeves in Texas by Payne and Company with counterfeit Confederate money was read 2nd time and substitute adopted. The 1st and 2nd Sections were stricken out and resolution passed to 3rd reading. Rule suspended, read 3rd time and passed.

A joint resolution in relation to the Confederate Government owning land for docks, etc. was read 2nd time. Substitute adopted and ordered to be engrossed. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 9 o'clock A. M. tomorrow.

Senate Chamber, Tuesday, November 24, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

The Committee on Private Land Claims reported a bill for the relief of L. C. Ferguson founded on his memorial. Read 1st time. Also bill for relief of heirs of M. B. Crawford was read 1st time.

The Judiciary Committee reported a bill supplementary to and amendatory of an act to establish a Penal Code and recommended its passage.

A bill for the relief of Peter Norton and a bill for the relief of John Murchison were reported correctly engrossed.

Mr. Jowers introduced a bill for the relief of Messrs. Billips and Hassell. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Hord introduced a bill to provide for electing Senators and Representatives to the 11th Legislature in counties occupied by the public enemy. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Lea introduced a bill to amend the 3rd section of an act to change and provide a uniform time for terminat-

ing the fiscal year. Read 1st and 2nd times and referred to Committee on Judiciary.

Mr. Kinsey introduced a bill to provide for a digest of the laws of Texas. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Maxey introduced a bill to organize volunteer militia companies. Read 1st and 2nd times and referred to Committee on Military Affairs.

A joint resolution expressive of the sense of the Legislature relative to the currency was laid on table.

A bill donating land to Texas soldiers being under discussion, the Senate received an invitation to meet in joint session in the Representative Hall to hear the Governor's message. Whereupon a recess of ten minutes was taken and having expired the Senate repaired to the Hall of the House of Representatives.

IN JOINT SESSION

Roll called, quorum present. The message was then read in the presence of both Houses:

Senators and Representatives:¹⁷

In the discharge of the duties imposed upon me by the Constitution, I feel greatly relieved in the performance of the task by the full and able message so recently placed before you, by my predecessor, Governor Lubbock. In many of the recommendations and sentiments contained in that paper, I most heartily concur. Circumstances over which I had no control since my induction into office, have prevented me from communicating with you at an earlier day.

We are still in the midst of Wars and the conflict of arms, and the tramp of soldiers are still heard throughout the Confederacy. But in the midst of the embarrassments and losses incident to revolution, we still have cause for grateful hearts towards the Almighty Disposer of human affairs.

Our harvests have been rich and abundant, almost beyond precedent, even from the rich soils of Texas—our granaries are full to overflowing, and if want prevails elsewhere, Texas is a land of plenty.

Victory crowns our Arms upon almost every field, and

¹⁷From Executive Record Book No. 280, 1863-1865, pp. 10-24 (Archives Division, Texas State Library).

our success has been more uniform and unbroken than ever before fell to the lot of a people struggling with a revolution of such magnitude. The superiority of our soldiery in courage, and of our military leaders in skill, has been established upon an hundred well fought and glorious fields, and the world is already, upon the enduring pages of history, assigning us a place among the first nations of the earth in military courage, prowess, and skill, upon the field our people still remain loyal and true to the banner, of their Country, and, as a general thing, rush with alacrity to the field when their services are called for. It is true that we have met with occasional reverses—that our cause has had its periods of gloom and despondency; but it should be recollected that no cause, however just, however exalted and holy, was ever without them. Our cause is just and God is with us; and periods of gloom should not be to a nation of Patriots, periods of despondency and inaction—but occasions for more stern resolves, for more mature deliberations and for more thorough preparation. Every disappointment and reverse should but redouble our energies, bind us the more closely together, and cause us to remember that in this contest there is but one alternative—success and independence, or political slavery.

The Trans-Mississippi Department by the imperfect correspondence now existing with the States east of the Mississippi River and the Government at Richmond, is rendered almost self dependent for counsel, and for means of prosecuting the war and defending itself. Large portions of Louisiana and of Arkansas are within the federal lines, and their people by thousands, with their property have taken refuge within our borders to escape the presence of an insolent foe, and that foe is even now upon the soil of Texas.

These facts place Texas, necessarily in an imposing and commanding position in the Trans-Mississippi Department. Arms and munitions of war are wanting—the currency is depreciated—prices high, and the Army of the department is deficient in strength and numbers. Were the Conscript laws fully enforced in Louisiana, Arkansas, and Texas, it is believed that they would secure an army sufficient for the complete defense of the Department but they are not enforced with complete success.

These are the circumstances surrounding the State

with their lights and shades, and under which you have assembled to legislate for it. You are fresh from the people—enjoy their confidence, represent their will and wishes, and you are specially charged by them to see that the Republic shall receive no detriment. No Legislature of the State ever assembled under circumstances imposing graver responsibilities—better calculated to inspire the heart with a pure devotion to Country—to raise the mind above all sordid and petty considerations and to direct its entire energies with a comprehensive grasp, patiently, resolutely and firmly, to the contemplation of such measures as concern the general welfare.

I feel that this is no time to shrink from duty or shun responsibility; and I shall not hesitate—distrustful as I am of my experience in public affairs—to recommend such measures as I may deem suited to the wants of the state.

One of the first great wants of the State is increased amounts of arms and munitions of war. The efforts made by the State and Confederate authorities for the procurement of arms from abroad, have been but partially successful, and the supply is still far short of the demand. The manufacture through the agency of contracts, and by operations conducted under the authority of the State, owing to the great scarcity of material, machinery and educated laborers, is necessarily slow, uncertain and unreliable, and must for a long time continue so. While the manufacture of arms and munitions should be encouraged and stimulated, in all the ways found practicable, and as much of a supply obtained in this way as possible, still the main and only certain dependence for immediate supplies must be upon foreign markets.

The great uncertainty and risk attendant upon the introduction of arms from abroad, heretofore, should not deter the state authorities from continuing their exertions for this purpose. It is necessary and the State should measure their exertions and the use of her credit alone by the extent of this necessity. A few millions of dollars, timely and judiciously expended in the introduction of arms and munitions, sufficient for all her people, might not only prevent the loss of property—countless in value—but save her from the cruel and horrid inflictions which have been visited upon but too many of her sister States.

In view of the necessity that exists for procuring these

supplies with as much dispatch and certainty, as possible it would seem not improper to look to more plans and expedients than one for the accomplishment of this purpose. The more energy, skill, enterprise, daring and character that can be engaged, the greater the assurance of success. If the mercantile pride—patriotism and skill of the State, could be aroused and induced to come to her aid, through the agency of contracts promising reasonable compensation and certainty of pay, either in bonds or cotton, as the contractor might prefer, good results might be accomplished. To leave the way open for contracts to be made—should favorable opportunities be presented is not at all in conflict with the plan of sending an agent to Europe, or employing one already there, to use the bonds that may be entrusted to him. It only multiplies the chances of success by introducing more laborers in the field, and perhaps, at no greater cost to the State. In determining the amount in bonds to be provided for the purpose of procuring arms and other supplies, I will be indulged in calling to your minds to the fact, that we are procuring no arms from east of the Mississippi River—that the Confederate authorities have succeeded, thus far, very slowly in procuring them—that reverses upon the field might cause the loss of arms to us—that you can make no other provision for two years to come, unless called together in extra session, and that the Trans-Mississippi Department depends greatly upon Texas, her resources and her credit, and that upon a supply of arms and munitions of war, obtained by her exertions, may even depend her own liberties.

The dangers that threaten the State from without and from within require a military organization so complete and thorough, as to embrace, control and direct the entire fighting strength of the State. This organization should practically secure, without delay, to meet any emergency that may arise, the action of the forces proportioned to the emergency. To attain this end, thorough organization, as well as ready obedience to the proper authorities must be impressed upon it.

The men between the ages of eighteen and fifty years, are already subjected by law to military duty. Seventy-five per cent of them have been drafted for service, and a large portion are already in the field. Quite a number, however, who were drafted, have been permitted to remain

in their own counties to assist in the defense of the frontier; and hundreds, I regret to say, persevere in refusing to enter the service. Those who are in the field were permitted to make organizations satisfactory to themselves, and they are said to be a fine body of soldiery. The twenty-five per cent not drafted may be added to it whenever necessity may call for their presence in the field, provided this organization continues as it now exists.

This organization is composed of men partly subject to conscription, and partly of men not subject—in what proportions I am not informed. Whether this organization shall continue permanent as it now stands, is a question for you to determine, and the difficulties attending the subject will at once present themselves to your minds. The period of service for which these troops were drafted, will expire in February or March, and from signs of the times their services may be then most needed in the field. So long as the organization stands as it now does, neither the conscripts nor the men not subject to conscription can be removed from the State without separating them.

In this connection, I beg leave to lay before you a very elaborate and interesting communication from Major General Magruder upon this and other subjects, and bespeak for it the full consideration which the great value of facts and suggestions contained in it deserve.

Whatever may be your conclusions as to continuing this organization as it now stands, the men between the ages of eighteen and fifty should be held as the more available State force for operations in the field, and their organization should be complete and permanent, so that they can be readily moved and employed to meet any emergency.

But should you stop with this organization, I cannot concede that the full military strength of the State would be embraced, or the necessities and dangers threatening it provided for. The men between the ages of fifty and sixty years should be subject to military duty, organized into companies in their own counties, and their muster roll returned to the office of the Adjutant and Inspector General. They should not be regarded as a force for operations in the field, unless the fortunes of the State should become more desperate, but as a force to meet emergencies which may arise at home assist in preserving a wholesome

police in the community, and aid in the execution of the laws, civil and military and for these purposes, they should be subject to the orders of the Executive. They should be used, when necessary, by authority of law, for arresting and forcing into service those who refuse to obey the laws of the State—those who may desert or loiter, beyond the time allowed, from their Commands. The desertions from the Army of the Trans-Mississippi Department are fearful in number and frequency, and not only weakens, but tends to its demoralization. This organization if made with reference to these objects—its duties well defined, and its movement sanctioned and directed by law—will carry a moral influence with it that will soon be felt throughout the State.

The habit of deserting, and refusing to enter the service in obedience to law, and the harboring, concealing, and screening men guilty of outrages against their country, will be broken up. The lawless bands, who have forgotten their obligations to society and to themselves, will find in this organization a pursuer armed with authority—the power, and the terror of the law, in whatever direction they may turn to commit depredations and will be forced to own that the way of the transgressor is hard.

Such an organization, in reference to these and other facts, seem to be absolutely necessary, in order to preserve the State, or sections of it at least, from lawless violence, to arrest and punish the wicked in the manner the law may say he shall be punished, and to protect the innocent and weak from the strong and reckless.

I have strenuously urged the complete organization of the entire military strength of the State, that it might be promptly used, just as the emergencies might require. This I fully believe to be right. But the discussion of determining when, how long, and in what numbers they shall be called into the field, can, in my estimation, be vested with no one except the Executive consistently with the dignity or safety of the State. Because they are organized, is no reason for their services. They should continue their attentions to producing from the soil—raising stock &, as far as consistent with the military defense of the State. If the civilian overlooks the necessity of production, of keeping up supplies of bread and meat for the army, and for home consumption, no less, perhaps, could be expected of military

commanders, whose minds are constantly fixed upon operations in the field. It should not be overlooked, that the army of the Trans-Mississippi Department depends greatly for supplies from Texas, that thousands are flying with their property from Louisiana and Arkansas to her borders, are consuming her substance—that the absence of men from home in the service at the call of the State, has, from all that I can learn, together with other causes, resulted in much less grain being sown in the grain region, than was sown last season. We should shape our policy in reference to the uncertain duration of this contest, and we must produce and fight, and fight and produce again. Thus our forefathers reasoned, and thus they labored upon the soil, and fought in the field, for seven weary years, until they achieved the institutions for which we are now battling.

The subject of the protection of the frontier counties against the Indian Savage, is doubtless engaging your attention; and I sincerely hope that you may achieve greater success in devising a plan than has been achieved heretofore. Very great and general interests depend upon the successful defense of the border countries. If the population of the extreme frontier Counties are forced to leave their homes and farms, from want of protection, and to fall back upon the adjoining counties, they, in their turn become border counties, and the area for grazing stock and producing the cereals is constantly contracted. After the failure of so many plans, plans, too, devised by the most experienced frontiersmen, one without experience in the habits of the savage, and in his mode of warfare, might well doubt the propriety of suggesting one. The loss of life and property has been greater, judging from representations, within the last months, than for the same period for years past; and yet there has been stationed, for nearly twelve months, on the frontier, a full regiment of mounted men, and these men, in the main, frontiersmen, selected for their supposed fitness for this service.

And besides this, in quite a large number of counties, over fifty the men subject to draft upon the last calls of Governor Lubbock, were ordered to organize into companies and remain in their respective counties for border defense; and numbers of others liable to conscription were permitted to remain at home for the same purpose. I submit an illustration to these facts, General Orders No. 36,

issued from the office of the Adjutant and Inspector General, by order of Governor Lubbock. From these facts you can judge of the number of troops assigned to the defense of the frontier, and kept for that purpose out of the Confederate service; and you can also judge of the efficiency and propriety of this plan of defense, and the reasons of its failure. I am decidedly impressed with the belief that it would secure better results to entrust the protection of the frontier, in the main, if not entirely, to Confederate authority. There the charge and the responsibility properly belongs, and it is not right in principle to pursue a line of policy unnecessarily, which implies a doubt of willingness of the Confederacy to discharge her Constitutional obligations to Texas.

Confederate troops, to some extent are already concentrated upon the frontier for its defense, and the establishment of a military district in the Northern portion of the State strengthens the assurances of defense from this source. And besides, I think that we have a guaranty in the disposition of the Commander of the Trans-Mississippi Department, that if he is trusted with the defense of the frontier—the responsibility imposed upon him, and he is left untrammelled, that this service will receive from him a full share of his attention and energy. This does not interfere even with the policy of protecting the frontier by frontiersmen, for as the object will be complete and successful defense, should they be found the most efficient troops for this purpose, they would doubtless be assigned to this service. If men are to be left at home in the frontier counties for home defense, they certainly should be forced to organize in a way to make them efficient, and subject them to proper command and authority; and in case it should become necessary, in order to meet the emergencies that might arise, for the companies to prosecute campaigns beyond the limits of their counties, would it not be well, in such instances to subject them to the command of the Confederate authorities entrusted with the frontier defense, and commanding troops regularly for this purpose?

What should be aimed at is full protection; but in securing this, men must be at their posts, and in the discharge of their duties. Such is the condition of the country, that its resources in men and means must be care-

fully husbanded, and idleness and shirking from duty nowhere allowed. I am satisfied that posts must be established, and points more distant from the settlements of the whites, seized and held—that we must approach nearer the homes and the haunts of the savage, before the frontier can ever be freed from his thieving habits and murderous disposition.

The policy already inaugurated of receiving Confederate notes in payment of taxes, in order to sustain and uphold that currency, should still be adhered to, although the great depreciation of those notes is becoming very embarrassing to the operations of the Government. But the system should be rendered more perfect. The collections in that currency should be made equal to the ordinary expenditures of the Government in order to avoid, from this time forward, the use of State Treasury Warrants at the ruinous rates of depreciation which mark Confederate Notes.

The practice of paying out, in the transactions of the Government, Treasury Warrants & Confederate Notes, at the same depreciated rates, not only involves bad financing, but is actually unjust to the people—results to the benefit of a feiw [sic] keen-sighted observers upon the course and tendency of the currency, and will, if persevered in for any great length of time, greatly embarrass the finances of the State.

Why should Texas Treasury Warrants, with her vast resources, and the small debt against her Treasury be paid out to her citizens at the rate of ten cents on the dollar? There is now outstanding, of these Warrants, including the 10 per cent Warrants, about the sum of one million, five hundred and twenty five thousand, four hundred and eighty seven dollars and twenty-two cents, (\$1,525,487.72), and they are hoarded with the belief and expectation on the part of the holders, that Texas is not only bound, but has the ability, and will, ultimately, to redeem them at their face value in specie, and yet many of them are paid out at the ruinous rate of depreciation mentioned.

The condition of the State, at present, as well as the circumstances under which they were issued, forbid that they should be funded, and yet, it would be well, could a way be opened for their return to the Treasury. The propriety of receiving these Warrants in payment of debts

due to special funds not annually distributable, and in payment for land script at not less than one dollar per acre, might well be considered, and maturely investigated. I believe that the Public Domain should be husbanded and guarded as a mine of wealth, to strengthen the credit of the State, and from which to draw means to aid in the discharge of pecuniary and other obligations necessarily growing out of this war, and to provide for the disabled soldiery of Texas, who will find help nowhere else. Could these Warrants be thus returned to the Treasury, and the State should ultimately find herself under an absolute necessity of changing her present policy and relying upon a currency of her own, she would be in a better condition to enter upon such a course, being more free from obligations pressing immediately upon the Treasury for payment.

I respectfully suggest the propriety of taking steps, at your present session, for having all claims of the State against the Confederate Government, including expenditures for the protection of the frontier, placed before Congress, that they may be adjusted, admitted and if desired by the State, acknowledged in the form of Confederate Bonds. I cannot believe that Congress will refuse to repay the State her expenditures for the support of the frontier Regiment, should the subject be properly laid before them. Should you fail, or deem it, under existing circumstances, unnecessary to call the attention of Congress to this subject, it will be two years, of course, before it can be done. The subject is before you to dispose of as you may deem best.

The condition of the Treasury is fully before you in the Message of Governor Lubbock and the report of the Comptroller, and it is unnecessary for me to repeat the facts and figures contained in them. The rate of Taxation, one half of one per cent, recommended in the report of the Comptroller, is also before you. This, if the Treasury is relieved of the burden of supporting troops for frontier defense, will perhaps, raise a sufficient revenue for the State. Depreciated as the Currency is, it becomes very difficult to make estimates in advance. You will be better able to judge of the taxation necessary, when the sum of your appropriations, and the burden imposed by your legislation upon the Treasury, are summed up.

It is to be hoped that the Confederate tax laws will

result in the appreciation of the Currency. Time will determine. To Congress we must look, mainly, for whatever of good we may expect, to be accomplished, in this respect, by legislation. That body created this Currency, and put it afloat in these States, and to it pertains the power of regulating the policy connected with it.

To arraign or criticize the policy of the Confederacy, in reference to the currency, or to make suggestions in regard to it, in this paper, could, perhaps, accomplish no practical good.

But it should be universally borne in mind by the people, that the currency consists in the promised and obligations of the Government—that the Government entered upon this revolution without money, and that the honor of the Government and of the people, as well as their means, so far as Government can pledge them, and as far as they, by freely and voluntarily entering into the revolution, could pledge them, and solemnly pledged to the redemption of these promises and obligations. This simple, but stern and unbending fact, shows, that from the beginning of this revolution, the condition of our Country was such, that the ordinary rules applied as tests to determine the soundness of a currency—rules applicable where trade is untrammelled, and commerce with the world free and unembarrassed, could not, with any propriety or justice, be applied as a rest to our currency, and that such an application should have been forbidden by the people and by the practice of the Government. To apply to it the rule that a paper currency is valuable in proportion to the degree and the readiness with which it is convertible into specie, is at once to proclaim it chaff, and in fact a repetition of the folly of putting new wine into old bottles. And again, it should not have been expected, nor was it promised on the part of the Government, that these obligations would be redeemed, or placed upon a specie basis, until the last battle in our glorious cause should be fought and won.

And even when that glorious consummation should be reached it was supposed that it would require years of contributions from the people to extinguish the debt, but that its extension over a period of years would keep alive the glorious memories of a struggle which resulted in our freedom and independence. But the Government itself, in some instances in practice and the people almost uni-

versally, have forgotten all these facts and truths, and admitted to their own injury and impoverishment, gold as : standard by which the value of the credits, promises and solemn pledges of the Government were to be determined. The adventurer brings from abroad a few dollars in specie and in a given community proclaims that every specie dollar is worth ten or fifteen in Confederate Notes; the people yield to the assertion without question, as if true, and straitway the community is subjected to the loss, perhaps in a few days, of seeing all the Confederate notes, in it sink in value five hundred per cent. Practically this allows the Yankee and the Mexican on your borders, and the trader in your midst, to fix and regulate the value of your currency, without reference to the obligations and ability of your Government ultimately to make it good.

The question is a plain and direct one: Is this currency to be redeemed? If so, why should the people be misled in this to their own detriment and led into practices which will fix upon their own shoulders and upon their posterity, a load of debt ten times greater than it should be?

The propriety of suspending the operations of the Land Office, so far as to prevent the location and survey of land until the war shall close, unless it shall be for special purposes connected with the credit and financial operations of the Government, I conceive to be obvious. Its operations, in the present condition of the State, in the absence of so many citizens from home, and the liability of so many others to be called from home to the Army, must result, mainly, to the benefit of but few.

I fully concur in the message of Governor Lubbock, in regard to arresting the growing evil of distilling grain into ardent spirits.

As to the support to be provided for the families of soldiers, as this policy is already inaugurated, I can only say, that it should be ample, and leave no room for complaint. It is a subject of congratulation throughout the State, that the people in various counties, upon this subject, have exhibited a liberality fully commensurate with the importance of this matter. In this respect, their patriotism and kindness have been unforced, and the past, I hope, gives assurance of the continuation of this liberal and patriotic disposition for the future.

The reasons for continuing the suspension of the Laws

for the collection of debts, are not altogether the same as those existing two years ago, and yet there are reasons for it no less commanding, and which will readily suggest themselves to every mind.

The subject of the Asylums for the Lunatic, the Blind and the Deaf and Dumb, are before you; and I invite your attention, especially, to the report of the Superintendent of the Lunatic Asylum in regard to the operations of the laws and regulations connected with that institution.

The introduction of machinery, and the establishment of manufactories for cotton cards, and for cotton and woolen cloths, the development of the iron and mineral resources of the State, are so obviously necessary that it becomes the duty of the State, so far as she can, to encourage and stimulate such enterprises by all the legitimate means within her power. The attention of the people should be aroused to this subject, and they should, if possible, be moved to combinations, to associations, and the most strenuous exertions for the accomplishment of these ends. The enemy has already taken possession of Brownsville, and how soon we may be cut off from foreign markets, and made entirely dependent upon ourselves, no one can tell. But current events are significant, and should satisfy the wise of the necessity of immediate and determined exertions. Iron is wanting, and its rich beds of ore expose themselves to the gaze of the Texan in every direction. Sulphur, Salt-petre and other minerals are wanting, and the material and caves from which they may be drawn and manufactured, are found in many localities. God has provided the means for the complete independence and self-reliance of Texas; and all that is wanting is, that the hand of science, and the spirit of enterprise shall seize hold of and make manifest His bounty.

The enlargement of the operations of the Penitentiary, if found practicable, is a consideration of the highest moment. The value of the productions of that Institution to the Trans-Mississippi Department cannot be estimated, and could its capacity be doubled, the good results to the soldiers and the people would soon be felt throughout the Department. This can only be accomplished by the introduction of machinery from abroad, and the propriety, necessity, and practicability of undertaking this, by the authority of the State, should be maturely considered by

you. The additional labor necessary can be employed. The condition of that Institution and its operations for the last two years are fully before you in the message of Governor Lubbock, and the Reports of the Comptroller and Financial Agent, and requires no recapitulation from me.

Revolutions breed offenses and crimes, natural to the agencies and motives at work in them; and it is the business of the civil Government to define and provide modes for their prevention and punishment. This is a delicate and difficult task, and will require no little labor and investigation; but its importance warrants all the attention that you can bestow upon it. The laws upon this subject are defective, and society is not as well protected by their provisions as it should be. Every attempt to lessen the confidence in our ultimate success—to produce or cherish disloyalty to the cause, either in the public mind, or in the mind of individuals—every attempt to produce disloyal and reasonable combinations, or to carry on a correspondence of this character, or having this tendency, should be checked and punished. Surely government is adequate to the protection of society, by the punishment of crimes and offenses against it, and by making provisions for this purpose with a wise forecast, the authority of law will be vindicated, and the necessity and excuses for irregular unauthorized will have no foundation. The suggestions already made in this paper, if carried out, by imposing it as a duty upon the military organizations at home, to arrest and return to service all deserters, and all who refuse to enter the service, when commanded by law, will have a strong tendency to break down disloyalty in the State.

To harbor or aid in any way a deserter from service, should be made an offense, and punished with severity. Every man who abandons the State in this hour of need, to avoid military service, should be disfranchised, and never permitted again to return to it as a citizen; and if he has no family, and is the owner of property, his property should be confiscated to the use of the State; and even in instances where the family also abandons the State; I do not see why the same rule should not be applied. I could not, however, recommend the visiting of the sins of the father upon the suffering wife and children, when they remain among us; though the withdrawal of property from the State, in such instances, might well be prohibited.

Whatever laws of this character you may provide, you should make it the duty of the Judges of the various districts to give them in charge, specially, to the Grand Juries, that they may be brought prominently before the public mind, and put in execution. And in my opinion, it should be made the duty of the judges to hold their Courts regularly, at least for such purposes as these, and to labor zealously to secure the execution of such laws. Is the Judiciary to die out during the war? Cannot this branch of the government do much good by keeping the Criminal laws prominently before the public mind, and by seeing that they are executed as far as practicable?

I feel constrained to bring to your attention the subject of Common Schools, and the condition of the support provided for them by law, for the past two years the amount distributed in support of these schools has been insignificant. The report of the Treasurer and Ex-officio Superintendent is before you, and reveals the aid received by them from the State for the period mentioned. The cause of education is a sacred one, and if neglected, the only satisfactory excuse that can be given to society, and to the rising generation, must be *Necessity*. We know not how long the war may continue, and we should shape our ends in reference to this uncertainty. This fact alone is sufficient to demonstrate the real and general interests involved to the growing minds of the State, in making that system, whose foundations rest in the Constitution, as efficient as the facts connected with the subject and the surroundings of the Country will permit for their benefit. The benefits to flow from this system of popular education, were intended primarily for the poor; and if this fountain is dried up, their prospects and hopes of mental culture and training are blasted. The interests of society and of government, the future usefulness and respectability of many a poor boy—sons, perhaps, of fathers who have perished upon the field of glory in defending their country—sons of those who are still battling in freedom's cause, but who are unable to provide for the education of their children are involved in this matter.

I know that the subject is surrounded by embarrassments, and perhaps the greatest embarrassment is the currency.

There is due to the Common School Fund, upon bonds

of RR Co's, about three hundred and forty five thousand and three hundred and seventeen dollars, and sixty cents (\$345,317.60). The annual accumulation of interest upon these bonds, as they now stand, is about one hundred and six thousand, eight hundred and fifty eight dollars and eighty cents (\$106,858.80). The bonds of these Companies will, in a few years, begin to fall due—then, with years of accumulated interest against them, their rolling Stock, bridges, superstructures all worn and deteriorated during the war, while they have no chance to procure a new supply, it is not difficult to foresee that some of them, if not all, may be greatly embarrassed.

The interests of the RR System and the Common School system, are connected through the policy of State legislation, and the State is interested in fostering, preserving and extending both systems; but this policy is defeated so soon as one system is permitted to destroy the other.

The currency renders the subject exceedingly embarrassing. From what I have learned, companies have failed to pay the interest upon their bonds, only because they were not permitted to do so in such currency as they could command. What the condition of the companies now is, and what their ability to pay, I am not informed. I have heard that some would pay, if permitted to do so, in Treasury Warrant, but I vouch not for the correctness of the statement.

The practical end to be aimed at, as it seems to me, is to secure to the State the same amount of tuition, or approach to it, for the sums due the School Fund, that might have been secured heretofore, under existing laws. Is this end attainable? Of course, I do not intend to be understood as indicating that in opposition to the general policy of the State in suspending the laws for the collection of debts, that an exception should be made of R.R. Co's. To make such an exception, and to force or attempt to force them to payments in a currency that they could not command, I should deem unjust and oppressive, and it would certainly, for a long time, defeat the objects that might be attained by managing this whole subject with practical wisdom, that may secure justice to the School fund, upon some plan that would, under the circumstances,

surrounding the Country, be at the same time just to RR Companies.

I have thus arrayed these facts and considerations, that this whole subject might receive at your hands that full, liberal, and practical consideration which its great and general importance deserves, and with the hope that you may be able to work out practical results, just to the two great public interests involved.

Numerous evils afflict the land. The currency is depreciated, speculation is abroad, and prices are enormous. The suggestions for the correction of these evils are numberless.

They are in fact, evils which have attended every revolution and protracted war recorded by history, and history proclaims the remedies applied for their correction, and the results of their application. Its pages are open before you. I shall express some homely ideas, but if practiced upon, they would go far to abate these evils, and hush these complaints. Let every man and woman comprehend the surroundings of the country, and appreciate the necessity of making the habits unsuited to the times be abandoned and habits suited to them, be universally adopted. Let every family, rich and poor, depend for their clothing upon their own looms and spindles, tan their raw-hides into leather and convert their leather into boots and shoes, convert native wool and furs at the shops, into plain, substantial hats, and let the fair hand of woman convert into hats and bonnets the grasses and the straws plucked from the fields, the forests, and the prairies. Then the merchant may charge enormous profits for his goods, but there will be but little dependence upon him. Let labor and capital unite, and introduce and work machinery for the making of wearing apparel from our native products, let the iron and mineral resources of the State, through combinations entered into for the purpose, be developed, and then such supplies will be more abundant and cheap. Had such a course been adopted by our people two years ago, they would to-day be well clothed and independent of foreign markets. If the women of Rome in ancient times, and the maids and matrons of Prussia in modern times, influenced by patriotism and love of Country, could strip themselves of their silver plate, their jewelry and golden ornaments, and lay them upon the altar of their bleeding country, surely our

noble women, who have from the beginning of this contest exhibited a spirit so devoted, so self-sacrificing, should not be ashamed to array themselves in the plain products of domestic manufacture, bearing evidence of a self-reliant spirit and self-sustaining homes, in a country bleeding at every pore, and clad in the weeds of mourning for the thousands of her heroic dead.

And above all let the people again solemnly remember that this war debt, to the utmost farthing, is to be paid, that its payment is to be a part of the Nation's glory and of the people's glory; that a failure to pay would be a stigma upon the Nation and the people; and let them, in remembrance of this fact, reject the false standard of value, in foreign gold, erected by the speculator and the heartless money-dealers, to determine the value of the Confederate currency; let them fund and retire from circulation every dollar that can be spared, and let them be content with fair remunerative prices for their labor, their products and their property, and the currency will appreciate in value and all will be well again. The remedy is with the people at large, a partial application of it can do no good, the application must be universal as the evil, and if universally and rigidly applied by the people, the country would be saved and the currency restored. Surely every true man should be as ready to follow the good example of his neighbor in reducing prices, retiring the currency from circulation, and striving to improve it, as he would be to copy the bad example of the speculation in raising prices, and decrying the value of the currency.

In concluding this paper, allow me to indulge the hope that the utmost harmony and success may prevail in your councils, that God in His goodness may watch over and guide you in your deliberations, and that the results of your labors may entitle you to the lasting gratitude of your Countrymen.

P. Murrah

The Senate having returned to their chamber, the following bills were reported correctly engrossed:

A bill to amend the acts to cede jurisdiction, etc.

A bill to incorporate the Sulphur Fork Iron Company.

A joint resolution relative to the payment of the Confederate tax.

The following bills were reported correctly enrolled and presented to the Governor:

A bill to amend an act to punish speculation in certain cases.

A joint resolution of thanks to Texas soldiers.¹⁸

The Senate then adjourned until tomorrow 9 o'clock A. M.

Senate Chamber, Wednesday, November 25, 1863
9 o'clock A. M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Davis presented the memorial of W. B. Burns relative to land. Referred to Committee on Private Land Claims.

The Judiciary Committee recommended the passage of the following bills:

A bill to amend an act concerning common carriers and defining their liabilities.

A bill to define and punish the crime of disloyalty; and recommended that the following do not pass:

A bill to amend the 3rd section of the act to provide a uniform time for closing the fiscal years.

A bill to amend Articles 400 and 401 of the Penal Code.

The Finance Committee recommended the passage of a joint resolution for the relief of Messrs. Billips and Hassell.

A resolution was offered by Mr. Quayle requesting the Committee on Printing to procure 200 copies of the Governor's message which was adopted.

¹⁸The resolution of thanks, as reported by the Texas State Gazette (Austin), December 7, 1863, is as follows:

JOINT RESOLUTION OF THANKS.—The following Resolution, which was recently passed by both Houses, unanimously declares:

"That in consideration of the patriotic service, personal sacrifice and distinguished gallantry of all Texan Soldiers who have been, and who are now in the Armies of the Confederate States and State of Texas, battling for Southern Honor and Independence, we, the Representatives of the State of Texas, for ourselves and in behalf of our constituents, tender to them, both officers and men, the sincere, heartfelt thanks of the people of the State of Texas; and that recognizing them as the brave defenders of our common liberties, we hereby pledge ourselves and the State to the support and maintenance of their families during their absence from home."